



LIPSIUS-BENHAIM
LAW, LLP

80-02 Kew Gardens Road
Suite 1030
Kew Gardens, New York 11415
Telephone: 212-981-8440
Facsimile: 888-442-0284
www.lipsiuslaw.com

ALEXANDER J. SPERBER
DIRECT LINE: 212-981-8449
EMAIL: asperber@lipsiuslaw.com

December 19, 2024

VIA ECF

Hon. Paul A. Engelmayer, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 2201
New York, NY 10007

Re: *Kitchen Winners NY Inc. v. Rock Fintek LLC,*
Case No. 22-cv-05276-PAE
Our File No: 5529.0002

Dear Judge Engelmayer:

This firm represents plaintiff and counterclaim-defendant Kitchen Winners NY Inc., as well as third-party defendant Adorama Inc. (collectively “Defendants”).

We write to request an extension of time within which to file a supplemental letter relating to the remaining pending motions *in limine*. Specifically, on December 12, 2024, we appeared before the Court for a conference at which the Court issued a lengthy decision from the bench and directed Defendants to file a supplemental letter by today – December 19, 2024.

As I left the Courtroom, I asked the Court reporter for the form to request the transcript. She handed me the form and, as it seemed like the wrong form, I specifically inquired if there was perhaps a different form that I should complete. I was told that the rest of the form did not matter and that I had adequately filled out the request. On Tuesday, I received an email from the Court Reporters’ office advising that I completed the wrong form and would need a different form.

I immediately processed a request for a rush transcript online and called their office. I told them that I had a deadline to file a letter by Thursday. I was promised that I would have it by Thursday morning – latest. I called them multiple times today and was told that the Court Reporter was in court all day and they do not know when I will have the transcript.

The letter requested by the Court is almost complete, but my notes and memory are not a substitute for the actual transcript, which I do not have. I respectfully ask for another week to file the letter to ensure that I have the transcript before the letter is due. My sincere apologies for the belated request. I held back from needlessly running to the Court as long as I thought I might have the transcript by this afternoon.

Lipsius-BenHaim Law, LLP

December 19, 2024

Page 2 of 2

I thank the Court for its continued attention to this matter.

Respectfully submitted,



Alexander J. Sperber

cc: All Counsel (via ECF)